

ASSEMBLY BILL

No. 1007

Introduced by Assembly Member Maze

February 22, 2007

An act to amend Section 3020 of, and to add Section 3201.5 to, the Family Code, relating to family law.

LEGISLATIVE COUNSEL'S DIGEST

AB 1007, as introduced, Maze. Family law: parent education programs.

Existing law authorizes the family law division of a superior court, subject to the availability of federal funding, to establish programs for supervised visitation and exchange services, specified education programs, and group counseling for parents and children.

This bill would require all parties in a family law proceeding involving legal separation or marriage dissolution in which minor children are involved to attend a 4-hour parent education program prior to judgment for separation or dissolution, subject to court discretion, and would require program costs to be borne by the participants. The bill would also make specified findings and declarations in that regard.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3020 of the Family Code is amended to
2 read:
3 3020. (a) The Legislature finds and declares that it is the public
4 policy of this state to assure that the health, safety, and welfare of

1 children shall be the court's primary concern in determining the
2 best interest of children when making any orders regarding the
3 physical or legal custody or visitation of children. The Legislature
4 further finds and declares that the perpetration of child abuse or
5 domestic violence in a household where a child resides is
6 detrimental to the child.

7 (b) The Legislature finds and declares that it is the public policy
8 of this state to assure that children have frequent and continuing
9 contact with both parents after the parents have separated or
10 dissolved their marriage, or ended their relationship, and to
11 encourage parents to share the rights and responsibilities of child
12 rearing in order to effect this policy, except where the contact
13 would not be in the best interest of the child, as provided in Section
14 3011.

15 (c) *The Legislature finds and declares that it is the public policy*
16 *of this state to promote parent education programs as described*
17 *in Section 3201.5 to advance the best interest of children and*
18 *encourage good parenting during times of conflict.*

19 ~~(e)~~

20 (d) Where the policies set forth in subdivisions (a) and (b) ~~of~~
21 ~~this section~~ are in conflict, any court's order regarding physical or
22 legal custody or visitation shall be made in a manner that ensures
23 the health, safety, and welfare of the child and the safety of all
24 family members.

25 SEC. 2. Section 3201.5 is added to the Family Code, to read:

26 3201.5. (a) All parties to a family law proceeding involving
27 legal separation or dissolution of marriage in which there are minor
28 children shall attend and complete a mandatory four-hour parent
29 education program pursuant to this chapter. The parties shall
30 complete the program prior to the judgment of separation or final
31 dissolution.

32 (b) The presiding judge of any family law proceeding in
33 subdivision (a) shall have the discretion to waive the program
34 requirement.

35 (c) Any costs associated with the parent education program
36 described in subdivision (a) shall be borne by the program
37 participants.

38 (d) The program described in subdivision (a) shall incorporate
39 content standards that produce all of the following:

40 (1) Evidence of decreased parental conflict.

- 1 (2) Evidence of favorable outcomes for children, such as
- 2 decreased stress, behavioral improvements, fewer risk factors, and
- 3 more protective factors.
- 4 (3) Evidence of improved parental communication or
- 5 cooperation.

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